



Order Filed on September 7, 2022
by Clerk
U.S. Bankruptcy Court
District of New Jersey

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-1(b)

Robertson, Anschutz, Schneid, Crane & Partners, PLLC
130 Clinton Road, Lobby B, Suite 202
Fairfield, NJ 07004
Telephone: 973-575-0707
Facsimile: 973-404-8886
Attorneys for Secured Creditor

Harold N. Kaplan (HK-0226)

In Re:

Timothy M. Myers aka Tim Myers

dba Area 51 Lawn and Landscaping, LLC,

Debtor.

Case No.: 22-12461-ABA

Chapter: 13


Hearing Date: August 23, 2022

Judge: Andrew B. Altenburg Jr.

**AGREED ORDER RESOLVING SECURED CREDITOR'S MOTION FOR RELIEF
FROM THE AUTOMATIC STAY**

The relief set forth on the following pages, numbered two (2) through three (3), is hereby
ORDERED.

DATED: September 7, 2022



Honorable Andrew B. Altenburg, Jr.
United States Bankruptcy Court

Page 2

Secured Creditor: U.S. BANK NATIONAL ASSOCIATION, AS TRUSTEE FOR ASSET BACKED SECURITIES CORPORATION HOME EQUITY LOAN TRUST, SERIES NC 2006-HE2 ASSET BACKED PASS-THROUGH CERTIFICATES, SERIES NC 2006-HE2

Secured Creditor's Counsel: Robertson, Anschutz, Schneid, Crane & Partners, PLLC

Debtors' Counsel: Andrew Thomas Archer

Property Involved ("Collateral"): 62 Payson Avenue, Audubon, N.J. 08106.

Relief sought: ■ Motion for relief from the automatic stay

For good cause shown, it is **ORDERED** that Applicant's Motion(s) is (are) resolved, subject to the following conditions:

1. Status of post-petition arrearages:

- The Debtor is overdue for 04 months from 05/01/2022 through 08/01/2022.
- The Debtor is overdue for 04 payments from 05/01/2022 through 08/01/2022 at \$1,266.76 per month.

Funds Held In Suspense \$233.24.

Total Arrearages Due \$4,833.80.

2. Debtor must cure all post-petition arrearages, as follows:

- Immediate payment shall be made in the amount of \$4,833.80. Payment shall be made on or before 08/31/2022.
- Beginning on 09/01/2022, regular monthly mortgage payments shall continue to be made in the amount of \$1,266.76.

3. Payments to the Secured Creditor shall be made to the following address(es):

- Regular monthly payment: PHH Mortgage Services
Mailstop SBRP
PO Box 5469
Mt. Laurel, NJ 08054
- Monthly cure payment: PHH Mortgage Services
Mailstop SBRP
PO Box 5469
Mt. Laurel, NJ 08054

4. In the event of Default:

■ Should the Debtor(s) fail to make any of the above captioned payments, or if any regular monthly mortgage payment should become more than thirty (30) days late or if Debtor(s) fails to comply with any terms of this Consent Order, counsel shall file a Certification of Default with the Court. A copy of the Certification shall be sent to the Chapter 13 Trustee, the Debtors, and Debtors' attorney and the court shall enter an Order granting relief from the Automatic Stay. Debtor shall pay \$200.00 for each notice of default issued by Secured Creditor as a result of the Debtor's failure to comply with this Consent Order.

■ In the event the Debtor(s) convert(s) to a Chapter 7 during the pendency of this bankruptcy case, the Debtor(s) shall cure all arrears within ten (10) days from the date of conversion in order to bring the loan contractually current. Should the Debtors fail to bring the loan contractually current, counsel shall file a Certification of Default with the Court, a copy of the Certification shall be sent to the Chapter 13 Trustee, Chapter 7 Trustee, the Debtors, and Debtors' attorney and the court shall enter an Order granting relief from the Automatic Stay. Debtor shall pay \$200.00 for each notice of default issued by Secured Creditor as a result of the Debtor's failure to comply with this Consent Order.

■ This agreed order survives any loan modification agreed to and executed during the instant bankruptcy. If any regular mortgage payment due after the execution of a loan modification is more than thirty (30) days late, counsel shall file a Certification of Default with the Court a copy of the Certification shall be sent to the Chapter 13 Trustee, the Debtors, and Debtors' attorney and the court shall enter an Order granting relief from the Automatic Stay. Debtor shall pay \$200.00 for each notice of default issued by Secured Creditor as a result of the Debtor's failure to comply with this Consent Order.

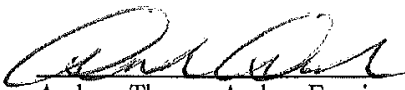
5. Award of Attorneys' Fees:

■ The Applicant is awarded attorney fees of \$350.00 and costs of \$188.00.

The fees and costs are payable:

■ Through the Chapter 13 plan.

The undersigned hereby consent to the form and entry of the foregoing order.


Andrew Thomas Archer, Esquire.
Attorney for Debtor(s)

Date: 9/6/22

/s/Harold N. Kaplan

Harold N. Kaplan, Esquire.
Attorney for Secured Creditor

Date: 9/6/2022

In re:
Timothy M. Myers
Debtor

Case No. 22-12461-ABA
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-1
Date Rcvd: Sep 07, 2022

User: admin
Form ID: pdf903

Page 1 of 2
Total Noticed: 1

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Sep 09, 2022:

Recip ID	Recipient Name and Address
db	+ Timothy M. Myers, 516 Elm Ave, Audubon, NJ 08106-2150

TOTAL: 1

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

NOTICE CERTIFICATION

I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Sep 09, 2022

Signature: /s/Gustava Winters

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on September 7, 2022 at the address(es) listed below:

Name	Email Address
Andrew Thomas Archer	on behalf of Debtor Timothy M. Myers aarcher@spillerarcherlaw.com bankruptcy@brennerlawoffice.com;mcdoherty_187750@ecf.courtdrive.com;R64966@notify.bestcase.com
David Fornal	on behalf of Creditor First Bank dfornal@maselliwarren.com
Denise E. Carlon	on behalf of Creditor Lakeview Loan Servicing LLC dcarlon@kmlawgroup.com, bkgroup@kmlawgroup.com
Harold N. Kaplan	on behalf of Creditor U.S. Bank National Association as Trustee for Asset Backed Securities Corporation Home Equity Loan Trust, Series NC 2006-HE2 Asset Backed Pass-Through Certificates, Series NC 2006-HE2 hkaplan@rasnj.com, kimwilson@raslg.com
Isabel C. Balboa	on behalf of Trustee Isabel C. Balboa ecfmil@standingtrustee.com summarymail@standingtrustee.com

District/off: 0312-1

User: admin

Page 2 of 2

Date Rcvd: Sep 07, 2022

Form ID: pdf903

Total Noticed: 1

Isabel C. Balboa

ecfmail@standingtrustee.com summarymail@standingtrustee.com

John R. Morton, Jr.

on behalf of Creditor Ford Motor Credit Company LLC ecfmail@mortoncraig.com mortoncraigecf@gmail.com

Rebecca K. McDowell

on behalf of Creditor 1st Colonial Community Bank rmcdowell@slgcollect.com anovoa@slgcollect.com

U.S. Trustee

USTPRegion03.NE.ECF@usdoj.gov

William H. Clunn, III

on behalf of Trustee Isabel C. Balboa wclunn@standingtrustee.com

TOTAL: 10